

FILED BY
DEC 15 2005
 AFTER HOURS DEPOSITORY
 Thomas M. Gould, Clerk
 U. S. District Court
 W. D. OF TN, Jackson

**IN THE UNITED STATES DISTRICT COURT
 FOR THE WESTERN DISTRICT OF TENNESSEE
 EASTERN DIVISION**

NELDA DAVIS,
Plaintiff,

vs.

No. 05-01284 T/A

MORNINGSIDE OF JACKSON, LLC,
d/b/a MORNINGSIDE ASSISTED
LIVING OF JACKSON,
Defendant.

**MOTION FOR EXTENSION OF TIME IN WHICH TO FILE A
 RESPONSE TO A DEFENDANT'S MOTION TO DISMISS, OR IN THE
 ALTERNATIVE FOR SUMMARY JUDGMENT; OR IN THE ALTERNATIVE,
 TO STAY FURTHER PROCEEDINGS AND TO COMPEL ARBITRATION
 AND MEMORANDUM IN SUPPORT**

COMES NOW THE PLAINTIFF, by and through counsel, and moves this Honorable Court for an extension of time in order to file a response to Defendant's Motion to Dismiss or, in the alternative, for Summary Judgment; or in the alternative to Stay Further Proceedings and to Compel Arbitration and Memorandum in Support. In support of Plaintiff's Motion for Extension of Time, Plaintiff would show unto the Court as follows:

1. On Friday, December 9, 2005, counsel for the Plaintiff, R. Lowe Finney, announced to the partners at the law firm of Hardee, Martin, Dauster & Donahoe that he will be leaving the firm at the end of this year, 2005.
2. Attorney C. Mark Donahoe and Attorney David Hardee of the firm will be assuming representation of the Plaintiff.
3. Attorneys Donahoe and Hardee have discussed this matter with Defendant's attorney, Robert D. Meyers, and Defendant's attorney has no objections to the extension of time.
4. Attorneys Donahoe and Hardee respectfully request an extension of thirty (30) days in order for them to review the file and prepare a response to Defendant's motion.

MOTION GRANTED
DATE: 19 December 2005

James D. Todd
 James D. Todd
 U.S. District Judge

WHEREFORE, PLAINTIFF'S ATTORNEYS PRAY that an extension of time of thirty (30) days be granted in order for Plaintiff's attorneys to review the file and prepare a response to Defendant's motion.

Respectfully submitted,

HARDEE, MARTIN, DAUSTER & DONAHOE, P.A.


DAVID HARDEE BPR# 006239


C. MARK DONAHOE BPR# 014049

Attorneys for Plaintiff
P.O. Box 98
Jackson, TN 38302-0098
(731)424-2151

CERTIFICATE OF SERVICE

I certify that I have served an exact and true copy of the foregoing pleading on:

Mr. Robert D. Meyers
Attorney for Defendant
3725 Campion Hills Drive, Ste. 3000
Memphis, TN 38125

by mailing same, postage prepaid, on this the 15th day of December, 2005.





Notice of Distribution

This notice confirms a copy of the document docketed as number 9 in case 1:05-CV-01284 was distributed by fax, mail, or direct printing on December 22, 2005 to the parties listed.

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Honorable James Todd
US DISTRICT COURT